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HOUSE BILL 670

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO COUNTIES; AUTHORIZING ANNEXATION BY RESOLUTION WHEN  
THERE IS NO PROPERTY SUBJECT TO PROPERTY TAXATION INVOLVED.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 4-33-17 NMSA 1978 (being Laws 1985,  
Chapter 64, Section 1) is amended to read:

"4-33-17. ANNEXATION BY RESOLUTION--NOTIFICATION OF  
SECRETARY OF STATE--CHALLENGE.--If there are no qualified  
electors residing within the portion of a county proposed to be  
annexed by another county or there is no property subject to  
any state or local taxation within the portion of a county  
proposed to be annexed by another county, resolutions shall be  
passed by the county commissions of both affected counties  
approving a transfer of territory from one county to the other.  
The resolutions shall state the facts permitting ~~such~~ the

underscored material = new  
[bracketed material] = delete

1 transfer by this method and a description of the territory to  
2 be transferred. The county clerks shall forward a copy of each  
3 resolution to the secretary of state. The county to which the  
4 territory is to be transferred shall place the territory within  
5 one or more of its voting precincts and so notify the secretary  
6 of state for compliance with election laws. Any aggrieved  
7 property owner or qualified elector within the annexed  
8 territory may file an action in the district court; if no  
9 action is filed within ninety days, the transfer of the  
10 territory shall take place in accordance with the provisions of  
11 Section 4-33-7 NMSA 1978. "

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